

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Amicus Miami of Ohio, LLC,

Plaintiff,

Case No. 2:22-cv-2320

v.

Judge Michael H. Watson

Heather Hoelzer Kacachos, et al.,

Magistrate Judge Jolson

Defendants.

OPINION AND ORDER

In its Complaint, Plaintiff alleges that the Court has subject matter jurisdiction on the basis of diversity jurisdiction. Compl. ¶ 17, ECF No. 6. Defendants are citizens of Ohio, *id.* ¶ 20, so the Court could have diversity jurisdiction only if Plaintiff is a citizen of a state other than Ohio. See 28 U.S.C. § 1332.

Plaintiff alleges that it is a limited liability company. Compl. ¶ 13, ECF No. 6. “[A] limited liability company has the citizenship of each of its members.” *Delay v. Rosenthal Collins Grp., LLC*, 585 F.3d 1003, 1005 (6th Cir. 2009) (citations omitted). Thus:

When diversity jurisdiction is invoked in a case in which a limited liability company is a party, the court needs to know the citizenship of each member of the company. And because a member of a limited liability company may itself have multiple members—and thus may itself have multiple citizenships—the federal court needs to know the citizenship of each ‘sub-member’ as well. Indeed, if even one of [the LLC’s] members—or one member of a member—were a citizen of [the

same state as the plaintiff], then complete diversity, and with it federal jurisdiction, would be destroyed.

Id. (citations omitted).

Plaintiff has identified its sole member, but that member is itself a limited liability company: Amicus II Investment Holdings LLC. Compl. ¶ 14, ECF No. 6. Plaintiff does not allege the membership of Amicus II Investment Holdings LLC and, therefore, the Court cannot determine Plaintiff's citizenship.

Plaintiff is **ORDERED** to file within **THREE DAYS** a notice documenting the citizenship of Amicus II Investment Holdings LLC's members and any sub-members so that the Court can evaluate its jurisdiction.

IT IS SO ORDERED.

/s/ Michael H. Watson
MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT